

CHEN et al. - 09/822,831
Client/Matter: 011765-0280083

REMARKS

Claims 1-24 and 26 are pending. By this Amendment, claims 1 and 26 are amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Claims 17-24 and 26 were rejected under 35 U.S.C. §102(e) over U.S. Patent 6,205,016 to Niu. The rejection is respectfully traversed.

As discussed in the attached Declaration Under Rule 132 of Mark Hughes, a co-inventor of the claimed invention, the method of Niu cannot be carried out with a polypyrrole to nanotube weight ratio higher than approximately 12.5:1. Accordingly, it is respectfully submitted that the product of Niu is not substantially identical to the claimed product, as alleged on page 3, lines 10-12 of the September 17, 2004 Office Action. It is also respectfully submitted that Niu cannot anticipate claims 17-24 and 26 as it does not provide an enabling disclosure of the claimed subject matter. See MPEP §§2121 and 2121.01.

Reconsideration and withdrawal of the rejection of claims 17-24 and 26 over Niu are respectfully requested.

Claim 1 has been amended to recite polymerizing the monomer solution to form a unitary polymer mass containing discrete nanotubes individually coated in the electronically conducting polymer dispersed therein. This feature has been included in independent method claim 1 as it is included in independent product claim 17. In accordance with MPEP §821.04 Applicants respectfully request rejoinder of method claims 1-16 and allowance of claims 1-24 and 26.

In view of the above amendments and remarks, Applicants respectfully submit that all the claims are allowable and that the entire application is condition for allowance.

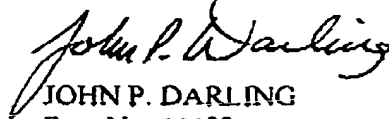
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Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975 (Order No. 011765-0280083). The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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Attachment: Rule 132 Declaration of M. Hughes